

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA

v.

**05-CR-270
(Hon. Thomas J. McAvoy)**

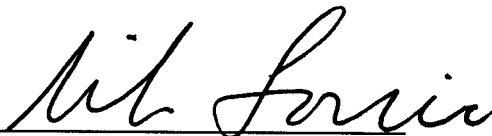
DAVID FALSO,

Defendant.

GOVERNMENT'S DISCOVERY STATEMENT

The government respectfully furnishes to the Court this written notice of discovery materials provided to the defendant through the respective counsel, Mark Suben. Attached to this statement is a copy of the summary letter sent to counsel in addition to the discovery materials/documents.

Dated: July 15, 2005


By: Miroslav Lovric
Assistant U.S. Attorney
Federal Building
15 Henry Street
Binghamton, New York 13901
(607) 773-2887



U. S. Department of Justice

*United States Attorney
Northern District of New York*

*304 Federal Building
15 Henry Street
Binghamton, New York 13901-2753*

*607 / 773-2887
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July 15, 2005

Mr. Mark D. Suben , Esq.
Suben Law Offices
One North Main Street
3rd Floor
Cortland, New York 13045

Re: United States v. David Falso, [05-CR-270 (TJM)]

Dear Mr. Suben:

Copies of following materials are enclosed herein:

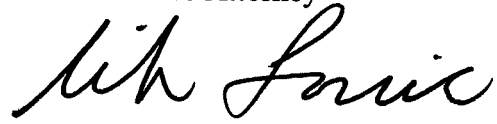
1. Copy of numerous photographs taken by the FBI of Falso's residence, inside and outside, during execution of the search warrant.
2. Copy of FBI 302 and evidence recovery log in connection to the search conducted at Falso's residence.
3. Copy of documents received from Yahoo Inc. in connection to Falso's Yahoo internet account.
4. Copy of documents received from NYSEG.

I have not yet received the computer forensic analysis report. I will forward a copy of the report, minus any child pornography images, to your attention as soon as I receive it.

Finally, per your request I drafted the speedy trial exclusion documentation and it is enclosed herein. Please sign and return to me and I will forward it to Judge McAvoy for his review and consideration.

Very truly yours,

GLENN T. SUDDABY
United States Attorney

A handwritten signature in black ink, appearing to read "M. Lovric", written in a cursive style.

BY: Miroslav Lovric
Assistant U.S. Attorney

cc: United States District Court [For Filing w/o discovery materials/enclosures]

CERTIFICATE OF SERVICE FOR ELECTRONIC CASE FILING SYSTEM

I hereby certify that on July 15, 2005, I electronically filed with the NDNY Clerk of the District Court using the CM/ECF system the above-referenced document(s) in connection with the above-referenced case. The CM/ECF system automatically sent electronic notifications of such filing to the attorneys of record in this case, as maintained by the District Court Clerk's Office, AND who are properly registered in the CM/ECF system for the NDNY as required pursuant to NDNY General Order #22. As for any attorney of record in this case who is not registered in the CM/ECF system for the NDNY, the government has caused to be mailed or faxed to that attorney either the actual CM/ECF electronic notification/e-mail as received from the CM/ECF system by the government and/or the actual documents being filed. Therefore, the non-registered attorney(s) will receive the same electronic ECF notice with the same information as will the attorney(s) who is/are registered in the CM/ECF system.

A handwritten signature in black ink, appearing to read "M. Lovric", is written over a horizontal line.

Miroslav Lovric
Assistant U.S. Attorney